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JOHN F. DAVIS, CLER

No. 643

IN THE
SUPREME COURT OF THE
UNITED STATES
OCTOBER TERM, 1961

SAMUEL BAILEY, ET AL.,

v.

JOE T. PATTERSON, ET AL.,

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI JACKSON DIVISION

MOTION OF THE APPELLEE, JOE T. PATTERSON, ATTORNEY GENERAL OF THE STATE OF MISSISSIPPI TO DISMISS OR AFFIRM

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New Capitol, Jackson, Mississippi
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New Capitol, Jackson, Mississippi
Of Counsel for Appellee, Joe T. Patterson, Attorney General of the State of Mississippi

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Now comes the Appellee, Joe T. Patterson, Attorney General of the State of Mississippi, pursuant to Rule 16 of the Revised Rules of the Supreme Court of the United States, and on the basis of this Motion and Brief filed contemporaneously herewith and in support hereof, moves that the appeal be dismissed and/or that the judgment of the District Court comprised of three

Judges in and for the Southern District of the State of Mississippi be affirmed on the grounds that the appeal is not within the jurisdiction of this Court; and that it is manifest that the questions on which the decision of the cause depends are so unsubstantial as not to need further argument.

It is therefore respectfully submitted that the appeal should be dismissed and/or that the judgment of the United States District Court in and for the Southern District of Mississippi should be affirmed.

DUGAS SHANDS, Assistant Attorney General
of the State of Mississippi
Counsel for Appellee, Joe T. Patterson,
Attorney General of the State of Mississippi